



## LEGISLATIVE UPDATE

August 22, 2014

This week was crowned primarily by the General Assembly's adjournment: [HB 1276](#) Adjournment (Resolution 2014-8). When the House and Senate adjourned on August 20, 2014, they adjourned "*sine die*" (i.e., without date). This means that without any vetoes of remaining legislation on the Governor's desk and without being called back into Session by the Governor to address specific matters, the legislature has concluded its business for the 2013-14 biennium. Elections will be held in November 2014 and legislators will come to Raleigh in January 2015. The current date to reconvene is January 14, 2015.

This final week at the legislature had plenty of excitement and many moving pieces. Some lingering items that many thought would become law did not, including changes to local sales tax laws and a "fix" to the teacher assistant allotment that would have helped LEAs convert teacher positions to teacher assistant positions, as necessary, at the statewide *average* teacher salary, rather than beginning teacher salary.

### [HB 1224](#) Local Sales Tax Options/Economic Development Changes

This legislation had passed the Senate earlier this month, but failed in the House this week, and will not become law this Session. The education-related measure in this bill would have limited the local government sales and use tax rate to 2.5%, except for Durham, Orange, Forsyth, Guilford, Mecklenburg, and Wake Counties, which would have been allowed to retain a 2.75% tax rate with referendum approval by the end of 2014. This bill would have given counties the flexibility to use up to .5% of the local sales and use tax for public transportation, public education, general purposes, or for a combination of the three.

### [HB 718](#) Ensure Adequate Funds for Teacher Assistants/Revenue Allocation

As referenced above, this legislation did not pass. It would have allowed LEAs to convert classroom teacher positions to dollar equivalents and transfer the funds into the teacher assistant allotment at the statewide average salary for classroom teachers. The passage of this measure was tied to the passage of HB 1224. Thus, for HB 718 to have become law, it required that HB 1224 become law. Neither happened, therefore, neither bill will become law this Session.

### [SB 884](#) Appointments Bill (S.L. 2014-116)

Relating to education, this bill made two appointments to the state's Charter School Advisory Board by the President Pro Tempore of the Senate. They are:

1. Sherry T. Reeves of Pamlico County, for a term expiring on June 30, 2015, to fill the unexpired term of Baker A. Mitchell.
2. Phyllis P. Gibbs of Guilford County, for a term expiring on June 30, 2017, to fill the unexpired term of Paul Norcross.

### [HB 369](#) Criminal Law Changes

This bill, if signed by the Governor, will make changes to various criminal laws. It passed

both Chambers and was presented to the Governor last Friday, August 15, 2014. With regard to public education, the bill would require various entities, including DPI, to consult with the Human Trafficking Commission to study the prevention of sexual abuse of children. In addition, the bill allows detention officers employed by the sheriff to carry firearms on campuses or other educational property. Finally, it revises G.S. 14-316 to allow children under twelve to use air rifles, air pistols, and BB guns (lifting the criminal “dangerous firearms” designation) in the following counties: Anson, Caswell, Chowan, Cleveland, Cumberland, Harnett, Stanly and Surry.

#### [SB 42](#) Confidentiality of Unemployment Compensation

This measure redefines “confidential information” as any unemployment compensation information in records of the Division of Employment Security (DES) pertaining to administering the Employment Security Law that it is required to keep confidential under applicable federal law, including claim information and any information that reveals the name or any identifier about an individual or any past or present employer, or that could be combined with other publicly available information to reveal a person’s identity. The measure makes clear that said confidential information is exempt from the public records disclosure requirements and may only be disclosed in certain circumstances. It adds that DES may disclose final decisions and records of hearings that led to decisions only after appeal rights have expired. The bill requires DES to report by September 1, 2014, to the Joint Legislative Oversight Committee on Unemployment Insurance about implementation status. Both Chambers passed this bill and it awaits the Governor’s signature.

#### [SB 734](#) Regulatory Reform Act of 2014

This legislation had passed both the House and Senate and was presented to the Governor on August 15, 2014. It is a 40-page bill that eliminates a number of obsolete education committees and commissions. It also contains revisions to the Administrative Procedure Action under G.S. 150B, including the following new sentence related to all state agencies: “If the administrative law judge finds that the agency has failed to act as required by law, the administrative law judge may order that the agency take the required action within a specified time period.” (See Section 59.(a)).

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